

Appl. No. 09/804,171
Amdt. dated June 22, 2004
Reply to Office Action of March 22, 2004

Remarks

The present amendment responds to the Official Action dated March 22, 2004. The Official Action rejected claims 1-5, 8-15, 24-30 and 33-35 under 35 U.S.C. 102(b) based on Kikinis U.S. Patent No. 6,389,290 ("Kikinis"). The Official Action rejected claims 6 and 32 under 35 U.S.C. 103(a) based on Kikinis in view of Hashimoto U.S. Patent No. 6,338,020 ("Hashimoto"). The Official Action rejected claims 7, 16-23, 31 and 38-42 under 35 U.S.C. 103(a) based on Kikinis in view Tsuda U.S. Patent No. 6,233,094 ("Tsuda"). These grounds of rejection are addressed below following a brief discussion of the present invention to provide context. Claim 14 has been canceled. Claims 1, 5, 15, 26 and 27 have been amended to be more clear and distinct. Claims 1-13 and 15-42 are presently pending.

The Present Invention

A device according to an aspect of the present invention identifies its location and uses the location information to select and request information appropriate to the location from a stored collection of information. The device presents the information in a format including a visual display. Information may suitably be retrieved from a stored collection accessible by a network, with the device identifying its location, choosing a network address such as a uniform resource locator (URL) associated with the location and relaying the network address to the network in order to retrieve appropriate information. Information can relate to nearby objects so that a device can automatically present information relating to nearby objects of interest. The device can sense its orientation and identify addresses appropriate to a combination of location and orientation in order to retrieve information appropriate to such a combination of location and

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orientation. Thus, a user may, for example, orient the device toward an object and be automatically presented with information about that object.

The Art Rejections

All of the art rejections hinge on the application of either Kikinis standing alone or a combination of Kikinis and Hashimoto or Kikinis and Tsuda. As addressed in greater detail below, the cited references do not support the Official Action's reading of them and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicant does not acquiesce in the analysis of the cited references made by the Official Action and respectfully traverses the Official Action's analysis underlying its rejections.

The Official Action rejected claims 1-5, 8-15, 24-30 and 33-35 under 35 U.S.C. 102(b) as anticipated by Kikinis. In light of the present amendments to claims 1 and 26, this ground of rejection is respectfully traversed.

Claim 1, as amended, includes the step of determining a present location of the mobile communications device and supplying visual information to a user appropriate to that present location. The information is supplied from a collection of information stored on the information network, various elements of the collection of information being associated with different locations so that the information may change appropriately as the present location changes. Kikinis does not teach these features. Kikinis teaches supplying information to a user through an interactive voice response system. A typical use of Kikinis requires a user to initiate a call to a voice response system using a device that automatically determines its location and supplies location information to the voice response system. The system then presents selected

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information to the user in audio format. The present invention, on the other hand, presents visual information to the user of the device, retrieved from a collection of information. Visual information is often more flexible than audio information because audio information is presented in a sequential format and requires relatively constant attentiveness by the user throughout its presentation. Visual information, by contrast, can be presented all at once, for example in the form of a display page and can be held in a static state until the user is ready to pay attention to it. In addition, numerous visual displays can be successively presented and discarded while the user ignores them or pays slight attention to them in order to determine their relevance to his or her needs, with an appropriate display being held upon a user selection or upon recognition of some other condition, such as a stopping of motion of the device or the holding of the device in a particular orientation.

By comparison, it is relatively difficult to effectively present and discard audio information, because a user must pay attention to audio information in order to determine its usefulness, and because a user hearing only a portion of an item of audio information, for example, the beginning or end of an audio message, may lack the context needed to understand it. The presentation of visual information, as claimed by claim 1, allows the rapid presentation of large amounts of information relative to a particular location, for example buildings or tourist attractions near a location, or paintings in a museum, with desired information being accessible to the user whether or not the user pays close attention to all the information presented. Claim 1, as amended, therefore defines over the cited art and should be allowed.

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Claim 26, as amended, claims means for determining a present location of a device and means for supplying visual information to a user appropriate to that present location. The information is supplied from a collection of information stored on an information network. Various elements of the collection of information are associated with different locations. As noted above with respect to claim 1, Kikinis does not teach supplying visual information to a user appropriate to a location, as that location changes with the information being supplied from a collection of information stored on an information network. Claim 26, as amended, therefore defines over the cited art and should be allowed.

Claim 2 is dependent on claim 1. Because claim 1 has been shown to be allowable, claim 2 should also be allowed. In addition, claim 2 claims the step of determining orientation of a device and supplying information in accordance with that orientation. This feature is not taught by Kikinis. Kikinis teaches determining a location or a direction of motion of a device, but does not teach determining the orientation of the device. The direction of motion of a device is not the same thing as its orientation. A device can be moving in a particular direction while in any orientation. For example, a device oriented to the north may be traveling south. Kikinis is not concerned with the orientation of a device, because the information retrieved by Kikinis, namely weather information and other information useful to travelers, is relevant to the location of the device or a location at which a device will be in the future. Directional information is relevant to the location where the device will be in the future and may be used to determine a future location of a device in order to retrieve, for example, weather information for that future location, or to

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discern a route in order to retrieve weather information along the route, names and descriptions of restaurants along the route, or the like.

Orientation, on the other hand, as is used by the invention as claimed by claim 2, can be used to indicate what information is appropriate for a device even when the device is not changing its position. For example, if a user is on an architectural tour, the device may be oriented toward one building in order to trigger the retrieval of information about that building, or toward another building in order to trigger the retrieval of information about that building. For the foregoing reasons, and because it depends on an allowable base claim, claim 2 defines over the cited art and should be allowed, and the claims which depend on claim 2 should be allowed because they depend on the allowable claim 1, and because they depend on claim 2 which introduces additional novel features as noted above.

Claim 27, as amended, claims determining orientation of a device and supplying information in accordance with that orientation. Claim 27 is allowable because dependent on the allowable claim 26, and for the reasons stated above with respect to claim 2. The claims that depend on claim 27 are also allowable for the same reasons as claim 27.

The Official Action rejected claims 6 and 32 under 35 U.S.C. 103(a) as unpatentable over Kikinis in view of Hashimoto U.S. Patent No. 6,338,020 ("Hashimoto"). Hashimoto does not cure Kikinis' failings as a reference. Claim 6 has claim 1 as its base claim and claim 32 has claim 26 as its base claim. Because claims 1 and 26 have been shown to be allowable, claims 6 and 32 should also be allowed.

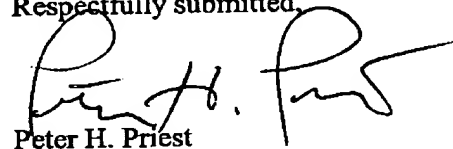
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The Official Action rejected claims 7, 16-23, 31 and 38-42 under 35 U.S.C. 103(a) as unpatentable over Kikinis in view Tsuda U.S. Patent No. 6,233,094 ("Tsuda"). Tsuda does not cure Kikinis' failings as a reference. Claims 7 and 16-23 have claim 1 as their base claim and claims 31 and 38-42 have claim 26 as their base claim. Because claims 1 and 26 have been shown to be allowable, claims 7, 16-23, 31 and 38-42 should also be allowed.

Conclusion

All of the presently pending claims, as amended, appearing to define over the applied references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,



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